IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

Rampyari & Anr. Vs. State of Rajasthan & Anr.

S.B.CR.MISC. PETITION NO.1046/2006

DATE OF ORDER :: October 11, 2006

PRESENT

HON'BLE MR.JUSTICE H.R.PANWAR

Mr. Nagraj Goswami, for the petitioner.
Mr. Ashok Upadhyaya, Public Prosecutor.

BY THE COURT:

By the instant criminal misc. petition under section 482 Cr.P.C., the petitioner seeks a direction to the Judge, Family Court, Jodhpur to incorporate the father's name of non-petitioner No.2 Ghanshyam s/o Mohan Lal Panwar in place of Nathu Ram as originally Ghanshyam was impleaded showing his father's name as Nathu Ram, whereas according to Ghanshyam his father's name is Mohan Lal Panwar. In the application under section 125 Cr.P.C., such an amendment has been made, however, in the application for interim maintenance, which is stood decided on 13.4.2005, the father's name of non-petitioner

No.2 has been shown as Nathu Ram in place of Mohan Lal Panwar. The notice has been served on non-petitioner No.2. The matter was listed before this Court on 10.10.2006, no one appeared for the contesting non-petitioner No.2. Today also, no one appears for the contesting non-petitioner No.2.

Having regard to the facts and circumstances of the case and the fact that even the non-petitioner No.2 does not dispute his father's name to be Mohan Lal Panwar, therefore, in the order dt. 13.4.2005 passed by the Judge, Family Court, Jodhpur in Cr. Original Case No.87/2003, the name of non-petitioner No.2 Ghanshyam s/o Mohan Lal Panwar may be read and be substituted.

The petition is disposed of accordingly.

[H.R.PANWAR],J.

m.asif/-